

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SALAHUDDIN F. SMART,

Plaintiff,

v.

ALEXANDRA B. OASIN, et al.,

Defendants.

:
:
:
:
:
:
:
:
:
:

Civ. No. 13-4339 (RBK) (KMW)

MEMORANDUM AND ORDER

Plaintiff is proceeding *pro se* with a civil rights complaint filed pursuant to 42 U.S.C. § 1983. Previously, this matter was administratively terminated as plaintiff had not paid the filing fee nor had he submitted a complete application to proceed *in forma pauperis*. However, plaintiff has now submitted another application to proceed *in forma pauperis* such that the Clerk will be ordered to reopen this case. Plaintiff's application to proceed *in forma pauperis* will be granted and the Clerk will be ordered to file the complaint.

At this time, the Court would typically screen the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine whether it should be dismissed as frivolous or malicious, for failure to state a claim upon which relief may be granted, or because it seeks monetary relief from a defendant who is immune from suit. However, plaintiff has indicated that he wishes to amend his complaint. Therefore, the Court will give plaintiff a short period of time in which to file a proposed, all-inclusive amended complaint. Should plaintiff not submit a proposed all-inclusive amended complaint, then this Court will screen plaintiff's original complaint.

Accordingly, IT IS this 29th day of October, 2015,

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that plaintiff's application to proceed *in forma pauperis* is granted; and it is further

ORDERED that the Clerk shall file the complaint, but no summons shall issue at this time prior to this Court's screening of the complaint; and it is further

ORDERED that plaintiff shall have thirty (30) days from the date of this Order in which to file a proposed all-inclusive amended complaint that is subject to this Court's screening; and it is further

ORDERED that if plaintiff fails to file a proposed all-inclusive amended complaint within thirty (30) days, this Court will screen plaintiff's original complaint in due course.

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge